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Robert Perry  
2579 Overlook Place  
Baldwin, NY 11510  
516-456-7718

Att: District Judge Joan M. Azrack

United States District Court  
Eastern District Of New York  
Long Island Courthouse  
100 Federal Plaza  
Central Islip, NY 11722

October 18, 2021

RE: PLAINTIFF'S OPPOSITION BRIEF ON DEFENDANT'S

Dear Justice Azrack,

The Defendant's Docket #33 is clearly irrelevant to the Plaintiff's complaints. The Plaintiff filed complaints for retaliation, racial discrimination, sexual discrimination and character defamation.

The Defendant are arguing misconduct and specifications on Exhibits that have no merit because they did not occur. If the Defendants are choosing use of a cell phone a misconduct then the entire staff should be released, but misconduct is not part of the complaint.

Please let's focus on the Plaintiff's complaints that are listed above. Thank you.

Sincerely,



Robert Perry

\* Please find attached documents supporting Plaintiff complaints for retaliation, racial discrimination, sexual discrimination and character defamation for why this case was filed and very relevant.



Hi, Robert,

I don't doubt that you have many witnesses that would support you. What I'm saying is the Civ. Service Art. 75 process is flawed. The reason it is flawed is because although you get notice and a hearing but the rules of the hearing don't put you on a level playing field with District because even if you are successful and win the hearing, the District can still terminate you, then you'd have to take the fight to the Courts. In my opinion you're making the right decision but if you want to dig in and take the fight to the hearing, we can do that too. After we spoke yesterday, I called Mr. Lilly but got his voicemail. I am calling his back this morning. I will contact you as soon as I speak to him. Thanks.

Respectfully,

Peter J. Famighetti, Esq.  
Famighetti & Weinick, PLLC



Tuesday, March 31, 2020

**Rebuttal regarding RETALIATION, DISCRIMINATION,  
INTIMIDATION, THREATS, BASED ON RACE to  
Division Of Human Rights against HHCSD Case No.  
10205463**

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**ATT: Aimee May, Human Rights Specialist I**

Here we go again!

It has been months since I submitted my complaint regarding the nasty, unprofessional, dispicable, hurtful actions that Assistant Superintendent, Dr. Jeffrey Woodberry and Assistant Principal, Mr. Wayne Ebanks of Half Hollow Hills Central School District has put me through for years. Once again I have to **re-live all the abuse** that they dragged me through, **defamating my character anyway they could.**

Again, I have to explain and rehash everything like a broken record during this grueling process, just as the last case regarding the unemployment insurance that I was requesting and entitled for which Half Hollow Hills School District was fighting me. The final outcome was in my favor to prove my innocence.

Why did they do this in the first place?

I, the complainant, addressed the administrator, Dr. Woodberry, via counseling letter, regarding problems and issues that needed to be addressed and fixed in the workplace. I explained in detail regarding what occurred on the after school bus. Female, Mrs. Jennifer Palumbo walked from the back of the bus and approached me, as I sat in the first seat, passenger side. Mrs. Palumbo **apologized multiple times for falsely accusing** me of the sexual harassment many months prior. She even named a few paras that forced her to falsely accuse me, Filomena Crabtree, Linda (Renert?), Some still work there, others have left, Ex. Anna Murania, **(Ref, to video on the bus, January 2018, bus #17, Driver Eileen,** soon after the school break, ) (Refer to Doc letter, Feb 12, 2018 Counsel letter to Dr. Woodberry).

On February 6, 2018 there was a meeting scheduled at 1pm. They had me and Lori Levine, (President & Union Rep) waiting in waiting room til 2:30pm. This was to build up anxiety and tension and wear on the psychological well-being of the victim, me. Dr. Woodberry and Mr. Ebanks changed the subject, smoke screened (hiding the truth) and other topics, (phones) that were also untrue. They wanted to take the focus off the very sensitive subject (topic), that Mrs. Palumbo admitted to her lies. When I was explaining



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the story of what happened on the bus, both Dr. Woodberry and Mr. Ebanks actions and tone became extremely negative toward me. With a very derogatory tone and very defensive Dr. Woodberry began to yell at me, defending Mrs. Palumbo. In other words, how dare me! Dr. Woodberry's conduct drastically got heated and extremely intimidating and hostile. The meeting ended abruptly, he could not even look at me. I believe because I am a white male, defending what I believe in he was treating me completely unfair. They both had no empathy regarding the true story that I shared and treated me with disgust. Because of what I experienced in the work place I was being persecuted for actions that I did not do, but because of Dr. Woodberry's and Mr. Ebanks' titles and race they believe they had leverage against me and bullied me. They both were the superiors in all of these scenarios.

When exiting, Union Rep Lori Levine stated in a whisper walking down the hallway, "He was not happy" She was nervous about his conduct.

With no doubt, I was treated **unfavorably**- they created a **hostile and offensive** work environment on a daily basis, not just in the meeting. The Assistant Principal, Mr. Ebanks and Assistant Superintendent, Dr. Woodberry created a false, dirty, paper trail against me. (the **time line** support this).

Many times other paras who were African American, used phones did not get penalized. There were many times I was NOT using my phone when I was falsely accused and penalized. There were times when (Chris & Mike?) biological brothers) also African American, as well another para Dave Simon, Briana Davis) would use their phones in the class room or else where with their students. Mr. Ebanks would witness this and he would ignore them.

This is what is called subtle forms of racial discrimination. Due to this form of racial discrimination I was subjected to **excessive performance monitoring and felt blamed due to my race**.

Mr. Ebanks continued this racial discrimination by changing my assignments. He claimed I was failing to get along with co-workers. Ex. Instead of me being inside the classroom with my student Mr. Ebanks changed my assignment to stay out in the hallway.

After this assignment I was assigned to the copy room. I was directed by Mr. Ebanks to shadow, follow and ask questions to Shaymaa, Shaymaa Abdelkader. I did mention to Mr. Ebanks and his secretary, Sandy that I was not familiar on how to work the copy machines. Mr. Ebanks, responded, (by laughing in a **derogatory fashion**) "**get used to it.**" This was once again, his goal was to aim to making me feel anxious, an

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assignment to set me up to fail. Another form of racial discrimination. This will be denied by them, but it is so obvious. (Ref to Exhibit)... I entered the copy room/teacher room and approached Shaymaa, introduced myself since we never did work together. She ignored me. I was being patient. She was constantly on her cell phone, speaking in her native language, I believe Arabic. I repeatedly asked her questions about the copy machines, because I was not familiar with them, but she refused to help me. I had no choice I returned to Mr. Ebanks office to explain what was happening. His answer was, "it is her **domain**". How was I supposed to work under such conditions? She would not work with me, she would not help me. Mr. Ebanks, said, "she is having difficulty, it's her culture,(Muslim)". Her culture? How does this come into play? We were working for the same cause, making copies and trouble shooting and fixing the machines.

A meeting was set up soon after in Mr. Ebanks office. Present was Union Rep,Phyllis O'Shea, Shaymaa, myself and Mr. Ebanks. We found out she did not like me. She would not give a reason. I was willing to work with her. Shaymaa refused to cooperate! She refused to work with me. Shortly after that I was removed from the copy room. (Exhibit\_\_\_)

Why is there a double standard? When I did not feel comfortable working on the bus with Mrs. Palumbo because of the false accusations she made against me. It was stated,"I am a man, to get over it?" Mr. Ebanks did not remove her.

But when Shaymaa, from a different culture and race, refused to work with me, Mr. Ebanks removes me from the assignment. Why? This is racial discrimination, period.

Back to the bus

I,the complainant made it clear, both Union Reps,Irene Davison and Phyllis O'Shea were made aware of this incident on the bus, (refer to Exhibit...). Both stated, "Oh, you're a man, get over it!!" That early evening, I called both of them on my cell phone and explained to them what happened. Jen Palumbo apologized to me. She said she was forced to do it by co-workers. I explained to both reps that I asked Jen, "They forced you, did they have a gun to your head? (pause, silence) No.

The very next morning I saw Irene and Phyllis, (Union reps) they both told me again, "You're a man, get over it". I could not believe my ears. This is double standard, reverse discrimination.

Regarding the rest of the non-credible, false exhibits that the administration keep stating. Once again, my character has been completely tarnish by all of these.

Look at Exhibit F - not comfortable working with Mrs. Jennifer Palumbo on the bus.



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Look at Exhibit 2— regarding chocolate shaped penises that I was falsely accused of sending.

There is no doubt in my mind Dr. Woodberry and Mr. Ebanks will deny all of these hostile events that occurred. They fail at telling the truth, events that never even took place. Justice needs to prevail because this has gone on way too long. Dr. Woodberry and Mr. Ebanks need to be held accountable for all their false and negative actions and lies and have to stop retaliations, intimidations, discrimination based on their race and titles. When an employee files legitimate complaints about hostile and offensive workplace regarding verbal and non verbal actions, the investigation needs to be done appropriately and people involved need to be accountable for their actions. Double standards has to be stopped.

**Regarding witnesses- Many employees were afraid because they didn't want to be forced out, as I was, and lose their jobs.** My goal was to address the issues, fix them, not to end my position, resulting in being unemployed. Every day we entered into an extreme toxic work environment.

**In conclusion-** This all originated because I wrote a letter reaching out for help regarding the hostile and offensive work environment. No words can express on how I felt by their retaliations, their intimidating tactics, their manipulated behavior, their verbal derogatory fashion by using their titles and their race to benefit their mission.

Sincerely,

  
Robert Perry

ROBERT PERRY  
2579 OVERLOOK PLACE  
BALDWIN, NY 11510

HALF HOLLOW HILLS CENTRAL SCHOOL DISTRICT  
525 HALF HOLLOW HILLS ROAD,  
DIX HILLS, NY 11746

Dear Dr. Jeffery Woodbury,

Mr. Perry wants this is a rebuttal to be an addendum to the document, February 8, 2018 and included in his personal file. The document that he read on February 8, 2018 while both you and the Union Rep for the Para's, Lori Levine sat there in your office, while he read and put question marks on many of the statements throughout the document that were made. Your document was worded inaccurate and was very vague. Throughout the meeting you requested that he mention specific names when addressing specific situations and the false allegations against me on several accounts, HOWEVER, your document does not mention these names.

On Tuesday, January 30, 2018 at 12:52pm he received a phone call from Dr. Woodbury's office to have a meeting. he was confused and in shock because he had not had a meeting with his Supervisor, Assistant Principal, Mr. Ebanks. He asked the Secretary, Antionette at Dr. Woodbury's office what the purpose of this meet? She could not divulge any details. - Immediately he reached out to all of the Union Reps. (Irene Davison, Phyllis O'Shea and Lori Levine) The investigation began as to why this meeting was to be? - A week went by but no one knew anything. - The reps at the building even said, he was not even called into Mr. Ebanks' office ? Thats' weird.....The answer from Mr. Perry, no.

Entered the meeting Tuesday, February 6, 2018 at 1245pm to meet with Para Rep, Lori Levine for a few minutes prior to the meeting. Meeting was scheduled at 1:00pm. - Dr. Woodbury started by verbally slashing me by accusing me that Mr. Ebanks and Ms. Michelle Melfi had information from staff and 2 teachers, (Mrs. Cohen, Ms. Garnets) that I was not supervising my students, 1-1 appropriately (false) . Each allegation I explained what transpired and how each allegation has been twisted. Mr. Ebanks could only say, "he wasn't there". - The time that the student had his head down, the Para, Mr. Perry, was there to do his job. Mr. Perry in a timely manner/immediately made the students aware by tapping the student's shoulder and or whisper in the student's ear, "put your head up". (Mr. Perry whispered so that he did not interrupt the teacher's lesson plan. There were times that Mr. Perry would take the student for a short walk in the hallway to get more oxygen so the student would not feel so groggy. (referring to students Arthur and Nick)

Let Mr. Perry rewind this story as well. - Dr. Woodberry and Mr. Perry have some history going back to his initial hiring in September 9, 2009. He filed a complaint of being harassed and discriminated against in HHH High School East. Dr. Woodberry was at the time Administration of that building. For some reason apparently he took a disliking to Mr. Perry. Mr. Perry was treated differently and unfairly. Back then Mr. Perry had two options; to get transferred to the Middle School, (Candlewood) or resign. Mr. Perry back then was innocent, like today, why resign? In Mr. Perry's view he focused on the important issues. He was there to focus and work with his students. Middle School administration was aware (via text or phone call) from the High School East that Mr. Perry was on his way. Mr. Perry's character was tainted. Mr. Perry was in Candlewood Middle School for 2-3 years while he was assigned to Dylan Schwagger until Dylan graduated then followed Dylan to H.S. West until he graduated. Even though Mr. Perry knew he was on the radar he continued always to do the best he could. Mr. Perry received several VERY GOOD END OF THE YEAR REVIEWS. He stayed away from the cliques and the gossip that



ran ram-pit. Fast forward, in 2017 there was a feeling of HOSTILITY in the workplace made it feel CANCEROUS. This feeling was mentioned by many if not most of people out of approximately 80 of us total Paras. 2017 was bad for that, but 2018 exceeds that. Working in an educational environment soaked in cancer, obviously, not healthy.

Mr. Perry's assignment in Sept was student, Arthur Burke, 9th grader. Mr. Ebank's did not have any information at all on Arthur. In Mr. Ebank's office :

Mr. Ebanks, said, "Good Luck" (with a laugh).

Mr. Ebank's did give a directive to Mr. Perry,

"Follow him, but give him space— I did hear he has a temper".

About a month past Mr. Perry was called in to Mr. Ebanks, he said,

"You have to stay on your kid".

Mr. Perry reminded Mr. Ebanks the directives was;

"Follow him, but give him space"

Mr. Ebanks said;

"Yes, I know, I was wrong" (as he laughed)

The conflict is Mr. Ebanks gives directives and they are different than the teachers directives, but Mr. Perry listens and follows the directives from the teachers given each time by, ( Mrs. Cohen, Ms. Garnets and any others.)

The false allegation against Mr. Perry regarding lack of communication between teachers, i.e. (Mrs. Cohen, Social Studies, Global Teacher) — From the beginning of the year there was absolutely no reason for Mrs. Cohen not to acknowledge Mr. Perry. Mr. Perry sat as close to his student, Arthur, as possible. He sat the same distance as any other para, maybe even closer. There was an instance where Mr. Perry looked over to see another para in the room texting on his phone, (Greg). Mr. Perry felt a vibration from his phone. Of course keeping focus on his student, Arthur, Mr. Perry responded to the text and quickly put the phone away. At the same time Greg was continuously on his phone texting. Mrs. Cohen approached Mr. Perry and said; we will have no texting in this class, BUT dismissed to warn or say anything to para, Greg.

Weeks went by Mr. Perry wondered why is it that Mrs. Cohen never acknowledges him? He was waiting for the right moment to initiate a conversation. The date is not clear, but the lesson was regarding the Holy time in Mecca in Saudi Arabia. Mr. Perry thought that was a perfect moment to share with Mrs. Cohen because of his professional work experience that he had in the past. So when the bell rang, the period was over and the students were walking out to go to their next class. Mr. Perry was walking out, close to the door where Mrs. Cohen was leaning by the door. He quickly shared his experience hoping that would break the ice. His goal was to improve the communications between Mrs. Cohen and him so that they could have a professional rapport. His focus was always what is best for the student.

Mr. Perry went to talk with Mr. Ebanks in his office approximately in December. He wanted to provide Mr. Ebanks with an update on the professional rapport status with Mrs. Cohen and shared with him the Saudi Arabia story. Mr. Ebank's remarked, "Sometimes you just have to let it go with some people. Believe me I've had my share, but keep working with Arthur, you are doing a GREAT job." The next day Mr. Perry was pulled from Arthur and Jim T. was assigned to Arthur. (For more detail please see Mrs. Cohen's lesson plan schedule.)

Another false allegation, sounds like Mr. Perry is being set up for failure. During a midterm in English. Ms. Garnets was proctoring. Mr. Perry received this assignment late. He went to the class room where paras, Karen and Jim was sitting in the back of the room, either reading a newspaper or on their phones. Mr. Perry walked in and was looking for Nick. He was sitting in the first seat, first row, closet to the door, but sitting inches away from Ms. Garnets as she was reading to the class. Nicks head was down before Mr. Perry got there. Ms. Garnets called Nicks name and his head rose. There you have it.( CLEARLY A SETUP)



Approximately the beginning of January, 2018 I was assigned to bus # 17. Bus driver Eileen was driving. When the last student was dropped off at their house, the para, Jennifer Palumbo was sitting in the back of the bus. Mr. Perry was sitting in the first chair, right of the driver. Jennifer came up and sat directly behind Eileen, right across Mr. Perry. Mr. Perry was looking forward he was experiencing motion sickness.

Jennifer said;

"I just wanted to say, I just wanted to say, I'm sorry and apologize for what I said and did to you a year ago or so" Jennifer explained out of nowhere in a class room that she was getting trained by a Fitness Trainer . Mr. Perry only said that he was a trainer too. (what she said was, "I'd like YOU to workout MY body. Mr. Perry walked away....

Jennifer repeated this 2 or more times. "I'm sorry, I apologize. I was pushed into it by (3) others.(Sounds like she was keeping the # low, to save face.

She said; "They convinced me to do it". " I was stupid", I know. I know you're a nice guy and I felt so bad.

They walked off the bus. Mr. Perry was silent for much of it. He was trying to absorb and process what Jennifer just CONFESSED & ADMITTED. Accusing Mr. Perry, crushing his character. As he got off the bus he thought Eileen had to have heard this confession.

Sincerely,

  
Robert Perry

ay, May 1, 2018



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one inside the  
???

MMS  
11:48 AM

he does what nobody else is  
owed....incredible

She's probably the

